



# FloorPrep

---

Legislative Digest

Tuesday, May 16, 2000

---

J.C. Watts, Jr.  
Chairman  
4th District, Oklahoma

*House Meets at 9:00 a.m. for Morning Hour  
and 10:00 a.m. for Legislative Business*

*Anticipated Floor Action:*

**H.R. 1291—Internet Access Charge Prohibition Act**

**H.Con. Res. 326—Asking the Federal Government to Accept Responsibility  
for the Cerro Grande Fire in New Mexico**

**H.R. 4425—FY 2001 Military Construction Appropriations Act**

**H.R. 853—The Comprehensive Budget Process Reform Act of 1999**

\* \* \*

## **Bills Considered Under Suspension of the Rules**

**Floor Situation:** The House will consider the following two bills under suspension of the rules as its first order of business today. Each is debatable for 40 minutes, may not be amended, and requires a two-thirds majority vote for passage.

**H.R. 1291** amends the Communications Act of 1934 to block the Federal Communications Commission's (FCC) ability to impose per-minute charges on consumers' Internet access services, when those charges are intended for support of universal service. In addition, the bill includes a savings clause that preserves the FCC's authority to continue addressing the issue of access charges as they relate to Internet telephone services. CBO estimates that H.R. 1291 affects direct spending and receipts so pay-as-you-go applies, but any such effects will be negligible. The bill was introduced by Mr. Upton on March 25, 1999, and the Commerce Committee reported the bill by voice vote on May 10, 2000.

**H. Con. Res. 326** asks the federal government to accept full responsibility for the damage done by the

fires that destroyed business and residential property in the Los Alamos, New Mexico area. The fires are a result of the National Park Service's questionable May 4, 2000 decision to conduct a "prescription burn" on federal land near Los Alamos, New Mexico. The resolution calls for the government to mitigate problems created by the fire and compensate the victims. This measure was introduced by Ms. Wilson on May 15, 2000.

\* \* \*

## **Bills Considered Pursuant to a Rule**

### **H.R. 4425—The FY 2001 Military Construction Appropriations Bill**

**Floor Situation:** The Rules Committee met yesterday, Monday, May 15, 2000 and granted a rule that waives the three-day rule with regard to the availability of the report and provides one hour of general debate to be equally divided between the chairman and the ranking minority member of the Committee on Appropriations. The rule waives the rule against legislative provisions on an appropriation bill, provides that the bill will be open to amendment by paragraph and authorizes the Chair to recognize members who have pre-printed their amendments in the *Congressional Record*. There is one motion to recommit with or without instructions, and for purposes of enforcement of the Congressional Budget Act, the appropriate levels of new budget authority and total budget outlays are those reflected in the table entitled "Conference Report Fiscal Year 2001 Budget Resolution Total Spending and Revenues" of H.Rept. 106-577.

**Summary:** H.R. 4425 provides \$8.6 billion (\$600 million more than the president's request) for military construction. This represents 4 percent, or \$293 million, more than was appropriated in FY 2000. Specifically, the bill appropriates: (1) \$3.7 billion for military construction projects (\$534 million more than the president's request and \$286 million less than in FY 2000); (2) \$3.6 billion for family housing (\$78 million more than the president's request and \$53 million less than last year); and (3) \$1.2 billion for base realignment and closure accounts (equal to the president's request and \$502 million more than last year). CBO estimates that enactment of H.R. 4425 will result in discretionary outlays of \$2.52 billion in FY 2001, \$3.14 billion in FY 2002, \$1.74 billion in FY 2003, \$688 million in FY 2004, and \$512 million in FY 2005 and beyond. The measure was submitted by Mr. Hobson on May 3, 2000 and was reported by the Appropriations Committee by voice vote on May 9, 2000.

**Amendments:** At press time the *Legislative Digest* was not aware of any amendments to H.R. 4425.

### **H.R. 853—The Comprehensive Budget Process Reform Act of 1999**

**Floor Situation:** The Rules Committee met on Wednesday, May 10, 2000 and granted a rule that allows for 90 minutes of general debate with 40 minutes equally divided between and controlled by the chairman and ranking minority member of the Committee on the Budget, 30 minutes equally divided between and controlled by the chairman and ranking minority member of the Committee on Rules, and 20 minutes equally divided between and controlled by the chairman and ranking minority member of the Committee on Appropriations. An amendment in the nature of a substitute consisting of the text of H.R. 4397 will be

considered original text for purposes of amendment. This rule provides for consideration of only those amendments printed in the Rules Committee report accompanying the resolution, in the order printed in the report, by a Member designated in the report, and for the time specified in the report equally divided between the proponent and opponent. The rule waives all points of order against the amendments printed in the Rules Committee report. Finally, this rule provides for one motion to recommit with or without instructions.

**Summary:** H.R. 853 amends the Congressional Budget and Impoundment Act of 1974 to keep pace with the changes in the federal government's budgetary processes that have evolved over the years. This legislation promotes consensus, responsibility, accountability, and discipline in the way the federal government handles the public's money. Major provisions of H.R. 853 include 1) changing the current nonbinding concurrent resolution to a joint resolution, which would have the force of law when signed by the president, 2) establishing a reserve fund for emergency spending and defining "emergencies," 3) closing a loophole in budget enforcement by subjecting legislation that bypasses committees of jurisdiction to budget enforcement procedures, 4) requiring reauthorization of all federal programs within a ten-year period, 5) accounting for long-term liabilities of federal insurance programs, 6) requiring that budgets and CBO cost estimates be compared with prior year spending levels, and 7) curtailing the Senate's ability to strip House-originated provisions (intended to reduce spending) out of reconciliation bills. The bill was introduced by Mr. Nussle on February 25, 1999 and reported by the Committee on Budget by a vote of 22-12 on June 17, 1999 and by the Appropriations Committee by voice vote on June 22, 1999.

**Amendments:** The rule for H.R. 853, which passed the House on Thursday, May 12, makes in order the following amendments:

**Mssrs. Dreier, Luther, Regula, Hall (OH)** may offer an amendment to establish a two-year budgeting and appropriations cycle and budget timetable. The amendment defines the budget biennium as the two consecutive fiscal years beginning on October 1 of any odd numbered year. It would devote the first session of Congress to consideration of the budget resolution and enactment of appropriations bills for a biennial timeframe, and the second session to authorization and program oversight as well as enactment of any necessary supplemental, rescission or reconciliation legislation. The amendment establishes a point of order in the House and Senate against any bill, joint resolution, amendment, motion, conference report or regular appropriations legislation that authorizes appropriations for less than two fiscal years. It also modifies the requirements of Government Strategic and Performance plans, performance reports in budget submissions, and program performance reports to reflect a biennial budgeting schedule. Finally, it establishes the 107<sup>th</sup> Congress as a period of transition, providing for transition completion by 2003, the beginning of the 108<sup>th</sup> Congress. **(40 minutes)** *Contact: Eric Pelletier, x5-9191*

**Mr. Gekas** may offer an amendment to prevent the government from shutting down during a budget impasse by providing an automatic continuing resolution at the same level of the previous year's appropriated amount if a regular appropriations bill or continuing resolution is not enacted at the expiration of the fiscal year. **(40 minutes)** *Contact: Joe Rubin, x5-4315*

**Mr. Callahan** may offer an amendment to strike the provisions changing the budget resolution from a concurrent resolution to a joint resolution. **(40 minutes)**

*Contact: Nancy Tippins, x5-4931*

**Ms. Jackson-Lee** may offer an amendment to strike the requirement to remove the budget functions out of the budget resolution and places them in a committee report and calls for debate on total budget amounts as opposed to debating individual budget functions. **(10 minutes)** *Contact: Alfred Campos, x5-3816*

**Mr. Tancredo** may offer an amendment to expand the reporting requirements for unauthorized programs, which appear in the back of House appropriations reports. This amendment would expand current rules to include the last year for which expenditures were authorized; the level of expenditures authorized that year, the actual level of expenditures for that year, and the level of expenditure contained in the bill. **(10 minutes)** *Contact: James Bergeron, x5-7882*

**Mr. Ryan** may offer an amendment to amend PAYGO to allow a non-Social Security surplus) to offset tax relief or mandatory spending increases. **(20 minutes)**  
*Contact: Joyce Meyer, x5-3031*

**Mssrs. Ryan, Minge and Royce** may offer an amendment to establish a mechanism (lock box) where all the savings from successful appropriation amendments, which reduce or cut funding, are captured and devoted to debt reduction, unless otherwise directed to other discretionary spending and reduces the overall discretionary spending cap by the amount of the total savings. **(10 minutes)** *Contact: Joyce Meyer, x5-3031*

**Views:** The Republican Leadership supports passage of H.R. 853. The Administration has serious concerns about emergency spending reserves, actual accounting, and baseline spending. The president has threatened a veto if the following provisions are adopted: spending lock boxes, pay-go reforms, or establishment of an automatic continuing resolution. *Correction: The Administration supports biennial budgeting.*

**Additional Information:** See *Legislative Digest*, Vol. XXIX, #13, May 12, 2000.

\* \* \*

To subscribe to this publication via e-mail, please send an e-mail to [LegDigest@mail.house.gov](mailto:LegDigest@mail.house.gov) and type "SUBSCRIBE" in the subject line.

---

Eric Hultman: *Managing Editor*

Brendan Shields: *Senior Legislative Analyst*

Courtney Haller, Jennifer Lord  
& Greg Mesack: *Legislative Analysts*

House  
REPUBLICAN  
Conference

Legislative  
Digest

<http://hillsource.house.gov/LegislativeDigest>

---